

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

L. RUTHER,

Plaintiff,

v.

Civil Action No. 2:16-CV-6191

WEST VIRGINIA OFFICERS,

Defendants.

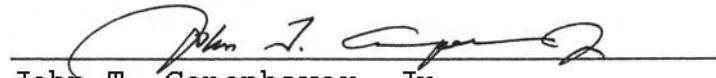
MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on November 14, 2018; and the magistrate judge having recommended that the court dismiss this matter without prejudice as being frivolous and for failure to state a claim upon which relief can be granted; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that the findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein.

It is, therefore, ORDERED that the plaintiff's complaint be, and it hereby is, dismissed without prejudice.

The Clerk is directed to forward copies of this written opinion and order to the plaintiff, all counsel of record, and the United States Magistrate Judge.

ENTER: January 14, 2018

  
John T. Copenhaver, Jr.  
Senior United States District Judge